

Panaji, 6th November, 1997 (Kartika 15, 1919)

SERIES I No. 32

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/5/96/LA

The Workmen's Compensation (Amendment) Act, 1995 (Central Act 30 of 1995), which has been passed by Parliament and assented to by the President of India on 17th August, 1995 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 21st August, 1995 is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 15th February, 1996.

THE WORKMEN'S COMPENSATION (AMENDMENT) ACT, 1995

AN

ACT

further to amend the Workmen's Compensation Act, 1923.

Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Workmen's Compensation (Amendment) Act, 1995.

(2) It shall come into force on such date or dates as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

2. *Amendment of section 2.*— In section 2 of the Workmen's Compensation Act, 1923 (hereinafter referred to as the principal Act), —

(a) in sub-section (1),—

(i) in clause (d),—

(I) in sub-clause (i), for the word "legitimate" occurring at both the places, the words "legitimate or adopted" shall be substituted;

(II) in sub-clause (iii), in item (c), for the words "legitimate or illegitimate", the words "legitimate or illegitimate or adopted" shall be substituted;

(III) the following *Explanation* shall be inserted at the end, namely:—

Explanation.— For the purposes of sub-clause (ii) and items (f) and (g) of sub-clause (iii), references to a son, daughter or child include an adopted son, daughter or child respectively.”;

(ii) in clause (n),—

(I) in sub-clause (i), for the words and figures "section 3 of the Indian Railways Act, 1890", the words, brackets and figures 9 of 1890. "clause (34) of section 2 of the Railways Act, 1989" shall be substituted; 24 of 1989.

(II) after sub-clause (i), the following sub-clause shall be inserted, namely:—

“(ia) (a) a master, seaman or other member of the crew of a ship,

(b) a captain or other member of the crew of an aircraft,

(c) a person recruited as driver, helper, mechanic, cleaner or in any other capacity in connection with a motor vehicle,

(d) a person recruited for work abroad by a company,

and who is employed outside India in any such capacity as is specified in Schedule II and the ship, aircraft or motor vehicle, or company, as the case may be, is registered in India, or”;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Central Government or the State Government, by notification in the Official Gazette, after giving not less than three months’ notice of its intention so to do, may, by a like notification, add to Schedule II any class of persons employed in any occupation which it is satisfied is a hazardous occupation, and the provisions of this Act shall thereupon apply, in case of a notification by the Central Government, within the territories to which the Act extends, or, in the case of a notification by the State Government, within the State, to such classes of persons:

Provided that in making addition, the Central Government or the State Government, as the case may be, may direct that the provisions of this Act shall apply to such classes of persons in respect of specified injuries only.”

3. *Amendment of section 3.* — In section 3 of the principal Act,—

(a) in sub-section (1), in the proviso, in clause (b), after the word “death”, the words “or permanent total disablement” shall be inserted;

(b) in sub-section (3),—

(i) for the opening portion beginning with the words, “The State Government” and ending with the words and letter “Part C of that Schedule”, the words “The Central Government or the State Government” shall be substituted;

(ii) after the words “shall apply”, the words, “, in the case of a notification by the Central Government, within the territories to which this Act extends or, in case of a notification by the State Government, within the State” shall be inserted.

4. *Amendment of section 4.* — In section 4 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (a), for the words “forty per cent.” and “twenty thousand rupees”, the words “fifty per cent.” and “fifty thousand rupees” shall respectively be substituted;

(ii) in clause (b), for the words “fifty per cent.” and “twenty four thousand rupees”, the words “sixty per cent.” and “sixty thousand rupees” shall respectively be substituted;

(iii) in *Explanation II*, for the words “one thousand rupees”, at both the places where they occur, the words “two thousand rupees” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Notwithstanding anything contained in sub-section (1), while fixing the amount of compensation payable to a workman in respect of an accident occurred outside India, the Commissioner shall take into account the amount of compensation, if any, awarded to such workman in accordance with the law of the country in which the accident occurred and shall reduce the amount fixed by him by the amount of compensation awarded to the workman in accordance with the law of that country.”;

(c) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) If the injury of the workman results in his death, the employer shall, in addition to the compensation under sub-section (1), deposit with the Commissioner a sum of one thousand rupees for payment of the same to the eldest surviving dependant of the workman towards the expenditure of the funeral of such workman or where the workman did not have a dependent or was not living with his dependant at the time of his death to the person who actually incurred such expenditure.”.

5. *Amendment of section 4A.* — In section 4A of the principal Act, for sub-section (3), the following sub-sections shall be substituted, namely:—

“(3) Where any employer is in default in paying the compensation due under this Act within one month from the date it fell due, the Commissioner shall—

(a) direct that the employer shall, in addition to the amount of the arrears, pay simple interest thereon at the rate of twelve per cent. per annum or at such higher rate not exceeding the maximum of the lending rates of any scheduled bank as may be specified by the Central Government, by notification in the Official Gazette, on the amount due; and

(b) if, in his opinion, there is no justification for the delay, direct that the employer shall, in addition to the amount of the arrears and interest thereon, pay a further sum not exceeding fifty per cent. of such amount by way of penalty:

Provided that an order for the payment of penalty shall not be passed under clause (b) without giving a reasonable opportunity to the employer to show cause why it should not be passed.

Explanation.— For the purposes of this sub-section, “Scheduled Bank” means a bank for the time being included in the Second Schedule to the Reserve Bank of India Act, 1934.

2 of 1934.

(3A) The interest payable under sub-section (3) shall be paid to the workman or his dependant, as the case may be, and the penalty shall be credited to the State Government.”.

6. *Amendment of section 8.* — In section 8 of the principal Act,—

(a) in sub-section (1), in the proviso, for the words “not exceeding an aggregate of one hundred rupees, and so much of such aggregate”, the words “of an amount equal to three months” wages of such workman and so much of such amount” shall be substituted;

(b) in sub-section (4), the words “shall deduct therefrom the actual cost of the workman’s funeral expenses, to an amount not exceeding fifty rupees and pay the same to the person by whom such expenses were incurred, and” shall be omitted.

7. *Amendment of section 14.* — In section 14 of the principal Act, in sub-section (4), for the words and figures “section 230 of the Indian Companies Act, 1913”, the words and figures “section 530 of the Companies Act, 1956” shall be substituted.

7 of 1913.
1 of 1956.

8. *Insertion of new sections 15A and 15B.* — After section 15 of the principal Act, the following sections shall be inserted, namely:—

“15A. *Special provisions relating to captains and other members of crew of aircrafts.* — This Act shall apply in the case of workmen who are captains or other members of the crew of aircrafts subject to the following modifications, namely:—

(1) The notice of the accident and the claim for compensation may, except where the person injured is the captain of the aircraft, be served on the captain of the aircraft as if he were the employer, but where the accident happened and the disablement commenced on board the aircraft it shall not be necessary for any member of the crew to give notice of the accident.

(2) In the case of the death of the captain or other member of the crew, the claim for compensation shall be made within one year after the news of the death has been received by the claimant or, where the aircraft has been or is deemed to have been lost with all hands, within eighteen months of the date on which the aircraft was, or is deemed to have been, so lost:

Provided that the Commissioner may entertain any claim for compensation in any case notwithstanding that the claim has not been preferred in due time as provided in this sub-section, if he is satisfied that the failure so to prefer the claim was due to sufficient cause.

(3) Where an injured captain or other member of the crew of the aircraft is discharged or left behind in any part of India or in any other country, any depositions taken by any Judge or Magistrate in that part or by any Consular Officer in the foreign country and transmitted by the person by whom they are taken to the Central Government or any State Government shall, in any proceedings for enforcing the claims, be admissible in evidence—

(a) if the deposition is authenticated by the signature of the Judge, Magistrate or Consular Officer before whom it is made;

(b) if the defendant or the person accused, as the case may be, had an opportunity by himself or his agent to cross-examine the witness;

(c) if the deposition was made in the course of a criminal proceeding, on proof that the deposition was made in the presence of the person accused;

and it shall not be necessary in any case to prove the signature or official character of the person appearing to have signed any such deposition and a certificate by such person that the defendant or the person accused had an opportunity of cross-examining the witness and that the deposition if made in a criminal proceeding was made in the presence of the person accused shall, unless the contrary is proved, be sufficient evidence that he had that opportunity and that it was so made.

15B. *Special provisions relating to workmen abroad of companies and motor vehicles.* — This Act shall apply—

(i) in the case of workmen who are persons recruited by companies registered in India and working as such abroad, and

(ii) persons sent for work abroad along with motor vehicles registered under the Motor Vehicles Act, 1988 as drivers, helpers, mechanics, cleaners or other workmen, subject to the following modifications, namely:—

(1) The notice of the accident and the claim for compensation may be served on the local agent of the company, or the local agent of the owner of the motor vehicle, in the country of accident, as the case may be.

(2) In the case of death of the workman in respect of whom the provisions of this section shall apply, the claim for compensation shall be made within one year after the news of the death has been received by the claimant:

Provided that the Commissioner may entertain any claim for compensation in any case notwithstanding that the claim has not been preferred in due time as provided in this sub-section, if he is satisfied that the failure so to prefer the claim was due to sufficient cause.

(3) Where an injured workman is discharged or left behind in any part of India or in any other country any depositions taken by any Judge or Magistrate in that part or by any Consular Officer in the foreign country and transmitted by the person by whom they are taken to the Central Government or any State Government shall, in any proceedings for enforcing the claims, be admissible in evidence—

(a) if the deposition is authenticated by the signature of the Judge, Magistrate or Consular Officer before whom it is made;

(b) if the defendant or the person accused, as the case may be, had an opportunity by himself or his agent to cross-examine the witness;

(c) if the deposition was made in the course of a criminal proceeding, on proof that the deposition was made in the presence of the person accused,

and it shall not be necessary in any case to prove the signature or official character of the person appearing to have signed any such deposition and a certificate by such person that the defendant or the person accused had an opportunity of cross-examining the witness and that the deposition if made in a criminal proceeding was made in the presence of the person accused shall, unless the contrary is proved, be sufficient evidence that he had that opportunity and that it was so made.”

9. *Amendment of section 18A.* — In section 18A of the principal Act, for the words “five hundred”, the words “five thousand” shall be substituted.

10. *Amendment of section 21.* — In section 21 of the principal Act,—

(i) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) Where any matter under this Act is to be done by or before a Commissioner, the same shall, subject to the provisions of this Act and to any rules made hereunder, be done by or before the Commissioner for the area in which—

(a) the accident took place which resulted in the injury; or

(b) the workman or in case of his death, the dependant claiming the compensation ordinarily resides; or

(c) the employer has his registered office.

Provided that no matter shall be processed before or by a Commissioner, other than the Commissioner having jurisdiction over the area in which the accident took place, without his giving notice in the manner prescribed by the Central Government to the Commissioner having jurisdiction over the area and the State Government concerned:

Provided further that, where the workman, being the master of a ship or a seaman or the captain or a member of the crew of an aircraft or a workman in a motor vehicle or a company, meets with the accident outside India any such matter may be done by or before a Commissioner for the area in which the owner or agent of the ship, aircraft or motor vehicle resides or carries on business or the registered office of the company is situate, as the case may be.

(1A) If a Commissioner, other than the Commissioner with whom any money has been deposited under section 8, proceeds with a matter under this Act, the former may for the proper disposal of the matter call for transfer of any records or money remaining with the latter and on receipt of such a request, he shall comply with the same.”;

(ii) second proviso to sub-section (2) shall be omitted.

11. *Amendment of section 22.* — In section 22 of the principal Act, for the brackets, figure and words “(1) No application for the settlement”, the following shall be substituted, namely:—

“(1) Where an accident occurs in respect of which liability to pay compensation under this Act arises, a claim for such compensation may, subject to the provisions of this Act, be made before the Commissioner.

(1A) Subject to the provisions of sub-section (1), no application for the settlement”.

12. *Amendment of section 23.* — In section 23 of the principal Act, for the words and figures “section 195 and of Chapter XXXV of the Code of Criminal Procedure, 1898”, the words and figures “section 195 and of Chapter XXVI of the Code of Criminal Procedure, 1973” shall be substituted.

5 of 1898.

2 of 1974.

13. *Amendment of section 30.* — In section 30 of the principal Act, in sub-section (3), for the words and figures “the Indian Limitation Act, 1908”, the words and figures “the Limitation Act, 1963” shall be substituted.

9 of 1908.

36 of 1963.

14. *Amendment of Schedule I.* — In Schedule I of the principal Act, in Part II,—

(i) in the column relating to description of injury, against serial numbers 2, 3, 4, 17, 18, 19, 20 and 21, for the figures ‘8”’, ‘4½”’, ‘5”’ and ‘3½”’ wherever they occur, the figures and abbreviations “20.32 cms.”, “11.43 cms.”, “12.70 cms.” and “8.89 cms.” shall respectively be substituted:

(ii) after serial number 10 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

“10A. Guillotine amputation of tip of thumb without loss of bone. 10”;

(iii) in the column relating to percentage of loss of earning capacity, against serial numbers 21, 22 and 23, for the figures and word “40”, “30” and “30”, the figures and word “50”, “50” and “50” shall respectively be substituted;

(iv) after serial number 26 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

“26A. Loss of partial vision of one eye 10”.

15. *Amendment of Schedule II.* — In Schedule II of the principal Act,—

(i) in item (i), after the words “railway, in connection with the operation”, the word “, repair” shall be inserted;

(ii) in item (vii), for the words and figures “the Indian Ports Act, 1908”, the words and figures “the Ports Act, 1908 or the Major Port Trusts Act, 1963” shall be substituted;

15 of 1908.

38 of 1963.

(iii) in item (xii), for the words, brackets and figures “clause (4) of section 3, and sub-section (1) of section 148 of the Indian Railways Act, 1890”, the words, brackets and figures “clause (31) of section 2 and sub-section (1) of section 197 of the Railways Act, 1989” shall be substituted;

4 of 1890.

24 of 1989.

(iv) for item (xix), the following item shall be substituted, namely:—

“(xix) employed, otherwise than in a clerical capacity, in the generating, transforming, transmitting or distribution of electrical energy or in generation or supply of gas; or”;

(v) in item (xxix), for the words “employed in farming”, the words “employed in horticultural operations, forestry, bee-keeping or farming” shall be substituted;

(vi) after item (xxxii) and before the *Explanation*, the following items shall be inserted, namely:—

“(xxxiii) employed as watchman in any factory or establishment; or

(xxxiv) employed in any operation in the sea for catching fish; or

(xxxv) employed in any employment which requires handling of snakes for the purpose of extraction of venom or for the purpose of looking after snakes or handling any other poisonous animal or insect; or

(xxxvi) employed in handling animals like horses, mules and bulls; or

(xxxvii) employed for the purpose of loading or unloading any mechanically propelled vehicle or in the handling or transport of goods which have been loaded in such vehicles; or

(xxxviii) employed in cleaning of sewer lines or septic tanks within the limits of a local authority; or

(xxxix) employed on surveys and investigation, exploration or gauge or discharge observation of rivers including drilling operations, hydrological observation and flood forecasting activities ground, water surveys and exploration; or

(xl) employed in cleaning of jungles or reclaiming land or ponds in which on any one day of the preceding twelve months more than twenty-five persons have been employed; or

(xli) employed in cultivation of land or rearing and maintenance of live-stock or forest operation or fishing in which on any one day of the preceding twelve months more than twenty-five persons have been employed; or

(xlii) employed in installation, maintenance or repair of pumping equipment used for lifting of water from wells, tubewells, ponds, lakes, streams and the like; or

(xliii) employed in the construction, boring or deepening of an open well or dug well, bore well, bore-cum-dug well, filterpoint and the like; or

(xliv) employed in spraying and dusting of insecticides or pesticides in agricultural operations or plantations; or

(xlv) employed in mechanised harvesting and threshing operation; or

(xlvi) employed in working or repair or maintenance of bulldozers, tractors, power tillers and the like; or

(xlvii) employed as artist for drawing pictures on advertisement boards at a height of 3.66 metres or more from the ground level; or

(xlviii) employed in any newspaper establishment as defined in the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 and engaged in outdoor work.”. 45 of 1955.

16. *Amendment of Schedule III.*— In Schedule III of the principal Act, in Part B, after serial number 24 and the entries relating thereto, the following serial numbers and entries shall be inserted namely:—

- | | |
|--|--|
| “25 Snow blindness in snow bound areas. | All work involving exposure to the risk concerned”. |
| 26. Disease due to effect of heat in extreme hot climate. | All work involving exposure to the risk concerned. |
| 27. Disease due to effect of cold in extreme cold climate. | All work involving exposure to the risk concerned.”. |

Notification

10/5/96/LA-Vol. I

The Appropriation Act, 1996 (Central Act 10 of 1996), which has been passed by Parliament and assented to by the President of India on 27th March, 1996, and published in the Gazette of India, Extraordinary, Part II, Section I, dated 27th March, 1996, is hereby published for general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 7th October, 1996.

THE APPROPRIATION ACT, 1996

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1995-96.

Be it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. *Short title.* — This Act may be called the Appropriation Act, 1996.

2. *Issue of Rs. 12109,63,00,000 out of the Consolidated Fund of India for the financial year 1995-96.* — From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of twelve thousand one hundred and nine crores and sixty-three lakh rupees towards defraying the several charges which will come in course of payment during the financial year 1995-96, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.* — The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
1	Agriculture Revenue	1,00,000	..	1,00,000
4	Department of Animal Husbandry and Dairying Revenue	9,66,00,000	..	9,66,00,000
5	Department of Chemicals and Petro- chemicals Revenue	5,41,00,000	17,00,00,000	22,41,00,000
	Capital	16,26,00,000	..	16,26,00,000
6	Department of Fertilizers Revenue	982,09,00,000	..	982,09,00,000
7	Department of Civil Aviation .. Revenue	34,58,00,000	..	34,58,00,000
	Capital	1,00,000	..	1,00,000
8	Department of Tourism Revenue	11,48,00,000	..	11,48,00,000
9	Ministry of Civil Supplies, Consumer Affairs and Public Distribution .. Revenue	40,52,00,000	..	40,52,00,000
12	Department of Supply.. .. Revenue	90,00,000	..	90,00,000
13	Department of Posts Revenue	162,49,00,000	..	162,49,00,000
	Capital	50,00,000	..	50,00,000
14	Department of Telecommunications.. Revenue	886,93,00,000	..	886,93,00,000
	Capital	1389,98,00,000	..	1389,98,00,000
15	Ministry of Defence Capital	94,00,000	10,00,00,000	10,94,00,000
16	Defence Pensions Revenue	339,98,00,000	14,00,000	340,12,00,000
17	Defence Services—Army Revenue	499,64,00,000	7,00,000	499,71,00,000
18	Defence Services—Navy Revenue	300,07,00,000	..	300,07,00,000
21	Capital Outlay on Defence Services.. Capital	686,28,00,000	3,11,00,000	689,39,00,000
23	Ministry of External Affairs .. Revenue	242,42,00,000	..	242,42,00,000
	Capital	4,99,00,000	..	4,99,00,000
24	Department of Economic Affairs.. Revenue	1,00,000	..	1,00,000
25	Currency, Coinage and Stamps .. Revenue	...	1,95,00,000	1,95,00,000
	Capital	...	10,00,000	10,00,000
26	Payments to Financial Institutions Revenue	1573,60,00,000	..	1573,60,00,000
28	Transfers to State and Union Territory Governments Revenue	890,87,00,000	1,00,000	890,88,00,000
	Capital	120,00,00,000	1066,64,00,000	1186,64,00,000
31	Department of Expenditure ... Revenue	1,82,00,000	1,82,00,000	
32	Pensions Revenue	110,17,00,000	27,00,000	110,44,00,000
33	Audit Revenue	36,17,00,000	54,00,000	36,71,00,000
34	Department of Revenue Capital	1,00,000	..	1,00,000
35	Direct Taxes Revenue	40,00,00,000	..	40,00,00,000
36	Indirect Taxes.. .. Revenue	31,80,00,000	..	31,80,00,000
37	Ministry of Food Revenue	250,82,00,000	..	250,82,00,000
39	Department of Health Revenue	23,88,00,000	23,88,00,000	
	Capital	39,98,00,000	..	39,98,00,000

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
40	Department of Family Welfare .. Revenue	71,63,00,000	..	71,63,00,000
41	Ministry of Home Affairs .. Revenue	24,65,00,000	3,00,000	24,68,00,000
	Capital	5,80,00,000	..	5,80,00,000
42	Cabinet .. Revenue	2,45,00,000	..	2,45,00,000
43	Police .. Revenue	337,12,00,000	20,00,000	337,32,00,000
	Capital	1,17,00,000	20,00,000	1,37,00,000
44	Other Expenditure of the Ministry of Home Affairs .. Capital	24,63,00,000	1,00,00,000	25,63,00,000
45	Transfers to Union territory Governments Revenue	5,06,00,000	..	5,06,00,000
	Capital	2,14,00,000	..	2,14,00,000
46	Department of Education .. Revenue	4,00,000	..	4,00,000
48	Department of Culture.. Revenue	5,54,00,000	..	5,54,00,000
49	Department of Women and Child Development .. Revenue	91,33,00,000	..	91,33,00,000
51	Department of Heavy Industry .. Revenue	8,67,00,000	..	8,67,00,000
	Capital	67,44,00,000	6,39,00,000	73,83,00,000
52	Department of Public Enterprises .. Revenue	1,11,00,000	..	1,11,00,000
53	Department of Small Scale Industries and Agro and Rural Industries .. Revenue	3,69,00,000	..	3,69,00,000
54	Ministry of Information and Broadcas- ting .. Revenue	12,81,00,000	..	12,81,00,000
	Capital	1,75,00,000	..	1,75,00,000
55	Broadcasting Services.. Revenue		21,20,00,000	21,20,00,000
57	Law and Justice.. Revenue	10,72,00,000	..	10,72,00,000
58	Election Commission .. Revenue	26,00,000	..	26,00,000
63	Ministry of Parliamentary Affairs .. Revenue	13,00,000	..	13,00,000
64	Ministry of Personnel, Public Grie- vances and Pensions .. Revenue	11,89,00,000	..	11,89,00,000
	Capital	1,74,00,000	..	1,74,00,000
65	Ministry of Petroleum and Natural Gas .. Revenue	56,00,000	..	56,00,000
	Capital	1030,57,00,000	..	1030,57,00,000
69	Ministry of Power .. Capital	3,00,000	..	3,00,000
70	Department of Rural Development .. Revenue	2,00,000	..	2,00,000
73	Department of Scientific and Indus- trial Research .. Revenue	24,87,00,000	..	24,87,00,000
75	Ministry of Steel .. Revenue	10,79,00,000	..	10,79,00,000
76	Surface Transport .. Capital	24,50,00,000	..	24,50,00,000

No. of Vote	Services and purpose	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
77	Roads Revenue	95,81,00,000	..	95,81,00,000
	Capital	5,36,00,000	20,00,00,000	25,36,00,000
78	Ports, Light Houses and Shipping .. Revenue	72,20,00,000	..	72,20,00,000
	Capital	6,88,00,000	..	6,88,00,000
79	Ministry of Textiles Revenue	2,00,000	..	2,00,000
	Capital	86,36,00,000	..	86,36,00,000
80	Urban Development and Housing .. Revenue	8,82,00,000	..	8,82,00,000
	Capital	12,51,00,000	..	12,51,00,000
81	Public Works Revenue	16,99,00,000	..	16,99,00,000
	Capital	13,01,00,000	99,00,000	14,00,00,000
84	Ministry of Welfare Revenue	1,00,000	..	1,00,000
85	Atomic Energy Revenue	13,64,00,000	..	13,64,00,000
89	Department of Space Revenue	..	2,00,000	2,00,000
	Capital	27,32,00,000	..	27,32,00,000
90	Lok Sabha Revenue	7,35,00,000	..	7,35,00,000
91	Rajya Sabha Revenue	56,00,000	..	56,00,000
	<i>CHARGED — Staff, Household and Allowances of the President</i> Revenue	..	34,00,000	34,00,000
93	Secretariat of the Vice-President .. Revenue	18,00,000	..	18,00,000
	<i>CHARGED.— Union Public Service Commission</i> Revenue	..	3,17,00,000	3,17,00,000
95	Andaman and Nicobar Islands .. Revenue	43,73,00,000	..	43,73,00,000
96	Dadra and Nagar Haveli Revenue	2,12,00,000	..	2,12,00,000
	Capital	9,00,000	..	9,00,000
97	Lakshadweep Revenue	3,00,00,000	..	3,00,00,000
98	Chandigarh Revenue	17,12,00,000	2,12,00,000	19,24,00,000
	Capital	78,00,000	..	78,00,000
99	Daman and Diu.. .. . Revenue	2,90,00,000	..	2,90,00,000
	Total	10954,14,00,000	1155,49,00,000	12109,63,00,000

Notification

10/5/96/LA-Vol. I

The Appropriation (Railways) (No. 4) Act, 1995 (Central Act 4 of 1996), which has been passed by Parliament and assented to by President of India on 3rd January, 1996, and published in the Gazette of India, Extraordinary, Part II, Section 1 dated 3rd January, 1996, is hereby published for the general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 9th October, 1996.

THE APPROPRIATION (RAILWAYS) NO. 4 ACT, 1995

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1995-96 for the purposes of Railways.

Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:

1. *Short title.* — This Act may be called the Appropriation (Railways) No. 4 Act, 1995.

2. *Issue of Rs. 60,000 out of the Consolidated Fund of India for the financial year 1995-96.* — From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of sixty thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1995-96, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.* — The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
16	Assets—Acquisition, Construction and Replacement—			
	<i>Other Expenditure</i>			
	Capital	2,000	..	2,000
	Railway Funds	58,000	..	58,000
	Total	60,000	..	60,000

Department of Panchayat Raj and Community Development

Directorate of Panchayats

Notification

2/DP/DR/MR/97

The following draft rules which the Government proposes to make under sections 52 and 54 read with sub-section (1) of Section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the 'said Act'), so as to amend the Goa Panchayats (Meetings) Rules, 1996, published at pages 425 to 428 of the Official Gazette, Series I, No. 33, dated 14th November, 1996, are hereby pre-published as required by sub-section (1) of Section 240 of the said Act, for the information of the persons likely to be affected thereby and notice is hereby given that the said draft Amendment rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft Amendment Rules may be forwarded to the Director of Panchayats and Ex-Officio Joint Secretary, Junta House, 3rd lift, 3rd floor, Panaji, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT RULES

In exercise of the powers conferred by sections 52 and 54, read with sub-section (1) of Section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the Government of Goa hereby makes the following rules so as to amend the Goa Panchayats (Meeting) Rules, 1996, as follows:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Panchayats (Meetings) (First Amendment) Rules, 1997.

(2) They shall come into force at once.

2. *Amendment of Rule 3.* — In rule 3 of the Goa Panchayats (Meetings) Rules, 1996 (hereinafter called the "Principal Rules"), for the word "month" the word "fortnight" shall be substituted.

3. *Amendment of rule 5.* — For rule 5 of the Principal Rules, the following shall be substituted namely:—

"5. *Consideration of motion on no confidence.*— (1) A notice of motion of no confidence against a Sarpanch or a Deputy Sarpanch under sub-section (1) of Section 51 of the Act shall be delivered to the Block Development Officer during Office hours in Form 'B' appended to these Rules. A copy of such notice shall also be delivered to the Secretary of the Panchayat concerned. The Secretary on receiving such notice, shall acknowledge the same under his signature with date.

(2) The Block Development Officer, on receiving the notice under sub-rule (1), shall convene a special meeting of the Panchayat to consider the motion of no confidence within fifteen days from the receipt of notice thereof in his office. Intimation for convening a special meeting shall be given by the Block Development Officer to the Secretary of the Panchayat in Form "C" appended to these Rules.

(3) The Secretary of the Panchayat shall, on receiving the intimation under sub-rule (2), send or cause to be sent to all members of Panchayat, at least three clear days before the date of special meeting for considering the no confidence motion, intimation of the place, date and time of meeting. Such intimation shall be in Form "A" appended to these Rules.

(4) The Block Development Officer, if himself/herself is unable to attend the special meeting as observer, shall appoint any official from his/her office or from any other Government Office/s of the Taluka Head Quarters as observer to attend the special meeting. The observer so appointed shall have no right to take part in the proceedings of the special meeting.

(5) When a Panchayat takes a decision on the motion of no confidence against the Sarpanch or Dy. Sarpanch, the Secretary shall immediately write the proceedings of the meeting in the Minutes book of the Panchayat and shall forthwith furnish a copy of the proceedings of the meeting to the Block Development Officer.

4. *Amendment of rule 10.* — In rule 10 of the principal rules for sub-rule (1) the following shall be substituted namely:—

"(1) Every meeting of the Panchayat shall be open to the public unless the Panchayat unanimously decides that any enquiry before or deliberations of the Panchayat shall be held in Camera".

5. *Insertion of new Form.*— After Form "B" appended to the Principal Rules, the following shall be inserted, namely:—

"Form 'C'

[See rule 5 (2)]

No. _____

Office of the Block Development
Officer, _____
Date: —

Read:— Notice of No Confidence Motion dated _____
signed by _____ members of _____
Village Panchayat.

In exercise of the powers conferred by sub-section (2) of Section 51 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994), read with sub-rule (2) of rule 5 of the Goa Panchayats (Meetings) Rules, 1996, I, _____, Block Development Officer, _____ Taluka/Block, do hereby convene a special meeting of the _____ Village Panchayat to consider the no confidence motion against Shri/Smt. _____

(Sarpanch and
_____, to be held on _____ at _____
or Dy. Sarpanch) (Date) (Time)
and direct the Secretary of Village Panchayat to intimate all the members of the Panchayat accordingly as required under sub-rule (3) of rule 5 of the said rules.

Office Seal

Signature of Block Development Officer,
with date.

To,
The Secretary of _____
Village Panchayat.

By order and in the name of the Governor of Goa.

G. G. Kambli, Director of Panchayats and Ex-Officio Joint
Secretary.

Panaji, 27th October, 1997.